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New CIA Pressure For Secrecy

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WASHINGTON — Adm. Stansfield Turner, director of the Central Intelligence Agency, told newspaper editors last week that the Soviet ambassador, under an American law, can ask for information from CIA files and get a response within 10 days.

What Turner did not say was that the CIA does not have to give the Soviet ambassador, or anyone else, any information that has been properly given a secrecy classification or any information that would disclose sources and methods of intelligence collection. Nor did he say that, in practice, virtually no one has received information from the CIA in 10 days.

Turner's remark, possibly intended to shock the visiting editors, was part of a campaign by the CIA and some members of Congress to exempt most of the agency's files from provisions of the Freedom of Information Act.

Other efforts are under way to grant blanket exemptions for the Federal Bureau of Investigation and the Federal Trade Commission.

The Freedom of Information Act was enacted in 1966 and strengthened in 1974, at the height of the Watergate scandal. It was intended to establish a framework for giving citizens access to government files. It never has been popular with government agencies, although they generally have responded to requests in good faith, while making full use of the broad exemption provisions.

Among the public disclosures that have resulted from requests under the act are the CIA's spying on the Rev. Dr. Martin Luther King, the agency's wiretapping and mail-opening programs, aspects of its Bay of Pigs fiasco, the agency's infiltration of lawful political groups in the United States, its secret behavior-control and drug-testing programs, and its attempts to keep the Glomar Explorer incident out of the press.

Now, the pendulum has swung away from reform toward a new emphasis on national security. The drive to dismember the act has gained strength from the humiliation of the U.S. defeat in Vietnam and other more recent foreign policy setbacks.

Turner, in his appearance before the editors, said the agency was seeking only "limited relief" from the Freedom of Information Act. His main point was that foreign intelligence agencies and prospective U.S. undercover agents abroad see the act as a security threat.

"How do you persuade someone to risk his life for our country if he fears that I may be required by law to reveal his name in public?" Turner asked.

He did not dispute the fact that the working of the act never has forced the CIA to make public any information that was classified or that would disclose intelligence sources or methods.

Last year, a federal court did order the CIA to make public three or four lines of a classified document, but that case remains under appeal. Another adverse decision, which the CIA says would force the release of information about intelligence sources and methods, also is under appeal.

Turner, rather than asserting an actual threat, says the problem is the perception of a threat, in the minds of foreign agents whose cooperation is needed.

Surprisingly, Turner acknowledged that the agency had on unspecified occasions divulged national security secrets. But he added that this was "only because of administrative error on our part."

"There is a perception on the part of foreign sources that we may not be able to hold the line under the Freedom of Information Act," he said. "So far, we have not lost a case. But if you are going to put your neck on the line, do you want to bank on courts with unpredictable judges and court procedures? Of course not."

A strong supporter of the Freedom of Information Act, the privately financed Center for National Security Studies, sees no reason to doubt the CIA contention that some friendly intelligence services and sources are leery about cooperating with the CIA because so much information has been made public about the agency in the last few years — in some cases without the CIA's consent.

But, says the center in a report last week, the act is not the leading cause of the problem. Other sources of public information about the CIA, the report says, include leaks by intelligence and other officials, damage actions against the CIA or individual officials, memoirs written by former CIA officials, and possible disclosures of information provided to the Senate and House Oversight Committees, although neither house has yet taken such action.

The report said the CIA had hurt its reputation for protecting its agents by several recent instances in which it has pulled out of relationships and left agents exposed.

For example, in the U.S. exodus from Vietnam in 1975, the CIA not only failed to take along the Vietnamese who had cooperated with the agency under a promise of protection, but it also left behind records identifying them to Hanoi as CIA collaborators, according to the report. It quoted former CIA agent Frank Snepp's book, "Decent Interval," as a source.

The center's report told how the Freedom of

Information Act works, to explain that even though no final court decision has ordered the CIA to release information, the act has led to the disclosure of much information from the CIA that would not otherwise have been made public.

When a request for information is made under the act, someone at the agency first determines whether it has the data in its files. If so, he examines the material to see whether there is information that either must or should be made public. If the material does not come under one of the exemptions, it must be provided. Perhaps it should be made public as a matter of policy.

This may have been the first time in many years that anyone has looked at the particular file. Some material often is made public.

The person requesting the material, if not satisfied with what has been released, can appeal for more. A review group, including lawyers familiar with the requirements of the act, often releases substantial additional information.